



PATENT

Customer No. 22,852

Attorney Docket No. 09617.0001-00000

Rec'd PCT/PTO 08 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/510627

In re Application of:

Kiyoshi ANDO et al.

Application No.: 10/510,627

Filed: October 8, 2004

International Filing Date: April 9, 2003

For: METHOD OF JUDGING

LEUKEMIA, PRE-LEUKEMIA OR

ALEUKEMIC MALIGNANT

BLOOD DISEASE AND

DIAGNOSTIC THEREFOR

)

)

) Group Art Unit: Not Yet Assigned

)

) Examiner: Not Yet Assigned

)

)

) Confirmation No.: Not Yet Assigned

)

)

)

)

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

One of the non-patent literature documents listed is the International Preliminary Examination Report ("IPEP") for PCT Application No. PCT/JP2003/004531. One of the documents cited in the IPEP is Perrin et al., C. R. Acad. Sci. Paris, Sciences de la vie, 324(12):1125-1132 (2001). The Perrin reference was submitted previously with the Information

Disclosure Statement and Form PTO-1449 submitted October 8, 2004. Therefore, it is not submitted again and is not listed on the enclosed IDS Form PTO/SB/08.

Copies of the listed foreign and non-patent literature documents are attached. An English translation of each non-English document is enclosed. A copy of the U.S. patent publication is not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 8, 2005

By: 
Jennifer L. Davis
Reg. No. 54,632
Customer No. 22,852

FEB 08 2005
PATENT & TRADEMARK OFFICE

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	09617.0001-00000
-------	---	----	---	------------------------	------------------

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US 2002/0099196 A1	07-25-2002	Hiraoka et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 98/08869	03-05-1998	Hiraoka et al.		Abstract only
		FR 2771750 A1	06-04-1999	Bannwarth et al.		Abstract only

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		International Preliminary Examination Report for PCT Application No. PCT/JP2003/004531, mailed November 11, 2004.	YES
		HIRAOKA et al., "Cloning, expression, and characterization of a cDNA encoding a novel human growth factor for primitive hematopoietic progenitor cells," <i>Proc. Natl. Acad. Sci. USA</i> , 94:7577-7582 (1997).	
		HIRAOKA et al., "Stem cell growth factor: <i>in situ</i> hybridization analysis on the gene expression, molecular characterization and <i>in vitro</i> proliferative activity of a recombinant preparation on primitive hematopoietic progenitor cells," <i>Hematol J.</i> , 2(5):307-15 (2001).	
		MIO et al., "Isolation and characterization of a cDNA for human mouse, and rat full-length stem cell growth factor, a new member of C-type lectin superfamily," <i>Biochem Biophys Res Commun.</i> , 249(1):124-30 (1998).	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.